United Nations A/C.6/63/SR.6

General Assembly
Sixty-third session

Official Records

Distr.: General
29 October 2008

Original: English

Sixth Committee

Summary record of the 6th meeting
Held at Headquarters, New York, on Monday, 13 October 2008, at 11 a.m.

Chairperson: Mr. Al Bayati ..... (Iraq)

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08-54664 (E)

The meeting was called to order at 11.15 a.m.

Agenda item 79: The rule of law at the national and international levels (A/63/64, A/63/69, A/63/154, A/63/226; and A/C.6/63/2)

1. **Ms. O' Brien** (Under-Secretary-General for Legal Affairs, the Legal Counsel), introducing the reports of the Secretary-General on the rule of law at the national and international levels (A/63/64, A/63/154 and A/63/226), said that the rule of law was critical to the Organization's efforts to maintain international peace and security and bring an end to impunity for serious international crimes. The inventory of the rule of law activities contained in A/63/64 represented a landmark achievement, as it was based on the information provided by 40 entities within the United Nations system on their activities in advancement of the rule of law. The inventory was intended to serve as a practical guide to the relevant work of the United Nations system for the benefit of Member States at the Secretariat level. It was presented in the form of a directory, and the activities listed were very diverse in nature and scope because many of the activities had been specifically designed to meet the particular needs of a Member State.

2. The inventory was divided into two main categories of activities, depending on whether they were intended to promote the rule of law at the international or at the national level. The promotion of the rule of law at the international level was divided into four subcategories: the teaching, promotion and dissemination of international law; assistance in the domestic implementation of international law; dispute resolution at the international level; and conflict resolution and transitional justice. The promotion of the rule of law at the national level was divided into two subcategories: strengthening of administrative institutions and governance issues; and the administration of justice and law enforcement. Taken as a whole, the inventory provided a valuable illustration of the Organization's capacity to perform a broad range of activities in response to the various needs of Member States. The annex to the report provided a list of United Nations entities engaged in rule of law activities.

3. The report of the Secretary-General on strengthening and coordinating United Nations rule of law activities (A/63/226) addressed the effectiveness of assistance to States aimed at building their capacity to promote the rule of law at the national and international levels. The report referred to the enormous range, depth and complexity of United Nations rule of law activities identified in the inventory. It acknowledged that there were some areas of shallow capacity and underfunded mandates but it also noted that the Organization had begun to learn the lessons of its rule of law engagement to date and to develop institutional memory. The 2008 guidance note on a United Nations common approach to promoting the rule of law at the national level represented a major step in ensuring that rule of law assistance was consistent and continuous in all areas. Ensuring early and appropriate assistance was essential, especially in conflict and post-conflict environments. With respect to the promotion of the rule of law at the international level, the report identified the interface between international law and its application at the national level as a critical area upon which the United Nations should focus.

4. The report also outlined the institutional changes that had been implemented since 2006 to enhance system-wide cooperation and coordination, in particular through the establishment of the Rule of Law Coordination and Resource Group and the Rule of Law Unit. The report highlighted the importance of measuring the effectiveness and evaluating the impact of United Nations rule of law assistance. It also identified the need for effective partnerships between the United Nations and other rule of law actors, including bilateral donors and international organizations, non-governmental organizations, civil society and recipient States. The report concluded with a set of recommendations for Member States, other rule of law actors and the United Nations system. The views of Member States in response to General Assembly resolution 62/70 were annexed to the report.

5. The report of the Secretary-General on the revised estimates relating to the programme budget for the biennium 2008-2009 related to the Rule of Law Unit, contained in A/63/154, set out the staffing requirements of the Unit, which included five professional posts and two general service posts. The total amount requested under the programme budget for the biennium 2008-2009 was $953,800. The financial report would be presented to the Fifth Committee at the sixty-third session of the General Assembly.

6. **Mr. Williams** (New Zealand), speaking on behalf of the CANZ group of countries (Canada, Australia and New Zealand), said that his delegation supported the work of the United Nations system to promote the rule of law and agreed that the Secretary-General and Member States should provide the necessary assistance to the Rule of Law Unit with a view to enabling effective coordination and assessment of the Organization's rule of law initiatives, including through a combination of staffing and adequate resources. It also agreed with the Secretary-General's suggestion for a United Nations strategic approach that included conducting joint assessments with national stakeholders to determine rule of law needs, and it looked forward to the 2009-2011 strategic plan.

7. The CANZ group of countries also supported the Secretary-General's call for greater measures to assess the practical effectiveness of the Organization's rule of law activities, including those of the Unit. It was important that the Organization should be able to assess whether there was demonstrable progress as a result of the Organization's country-specific activities. Accurate assessment would increase the effectiveness of the Organization's efforts. The CANZ group of countries looked forward to the establishment of clearer time frames for achieving the Unit's objectives, which should be published on the Unit's website.

8. In addition, the Sixth Committee should centre its discussions on one or two sub-topics with a practical and action-oriented focus. It would therefore be wise for the Committee to consider a sub-topic on strengthening international criminal justice at the international and national levels, especially in view of the "residual" or "legacy" issues which were arising as the international and hybrid criminal courts and tribunals completed their docket. The CANZ group of countries welcomed the informal work in the Security Council on the residual functions of ad hoc tribunals, which provided a good starting point for the consideration of those issues in the Extraordinary Chambers in the Courts of Cambodia and would be of relevance to the Special Tribunal for Lebanon. More attention should be devoted to the response of the United Nations with regard to the responsibilities that would continue after those judicial bodies were wound up; as one of the ad hoc tribunals might close in 2009, much of the good work done would be undermined if those matters were not addressed promptly.

9. **Mr. Renié** (France), speaking on behalf of the European Union; the candidate countries Croatia, the former Yugoslav Republic of Macedonia and Turkey; the stabilization and association process countries Albania, Bosnia and Herzegovina, Montenegro and Serbia; and, in addition, Armenia, Moldova and Ukraine, said that it was of priority importance to strengthen the rule of law, notably through the action of the United Nations. The rule of law was one of the basic principles underpinning the European Union's domestic policy and international relations as well as its efforts to promote international peace and security; it was the foundation of peaceful coexistence among nations and a precondition for the enjoyment of individual freedom and human rights.

10. The Sixth Committee and the International Law Commission had played an essential role in the codification and progressive development of international law and their work had given rise to mutually beneficial exchanges with Member States. The Bureau and the Secretariat might usefully study ways of preserving and enhancing such exchanges. Given that the establishment of the Rule of Law Coordination and Resource Group, supported by the Rule of Law Unit, would offer a means of improving the coherence, coordination and quality control of United Nations rule of law activities, he called on the Secretary-General and Member States to give all necessary assistance and support to them. In particular, he noted that the Rule of Law Unit would not be able to become fully operational without permanent funding, as proposed in the Secretary-General's recent report (A/63/154). Moreover, he encouraged the Secretary-General to take steps to ensure that the Organization's rule of law activities were systematically integrated into all country initiatives.

11. His delegation supported the General Assembly's recommendation, in resolution A/61/39, that one or two sub-topics related to the rule of law should be identified every year for discussion by the Committee. One such sub-topic could be "the strengthening of criminal justice at the national and international levels", and another could be "work and legacy of the international criminal courts". It would also be useful for the Secretary-General to prepare an annual report on the Organization's rule of law activities, with special attention to the selected sub-topics. The European Union looked forward to ever stronger

cooperation with the United Nations in the promotion of the rule of law.

12. **Ms. Ramos Rodríguez** (Cuba), speaking on behalf of the Non-Aligned Movement, said that Member States should renew their commitment to upholding, preserving and promoting the Charter of the United Nations and international law in view of the vital importance of the principles embodied therein for the preservation and promotion of economic development and social progress, peace and security, human rights for all and the rule of law. The non-aligned countries remained concerned about the application of unilateral measures, which had a negative impact on the rule of law at the international level and on international relations. They also remained concerned about the Security Council's continuing encroachment on the functions and powers of the General Assembly and the Economic and Social Council. The United Nations would only remain relevant and capable of taking up existing, new and emerging challenges if there were close cooperation and coordination between its main organs.

13. While, however, the General Assembly must play a leading role in promoting and coordinating efforts to maintain international peace and security, the international community should not replace national authorities in establishing or strengthening the rule of law but simply provide them with any support they might require. Such assistance should be given only when requested by Governments that wished to receive it and should be in strict compliance with the mandates of the relevant funds and programmes. It should also take into account the customs and socio-economic and political realities of the country concerned so as to guard against the imposition of pre-established models.

14. The Non-Aligned Movement considered human rights, the rule of law and democracy to be interdependent and mutually reinforcing and accordingly called on Member States to promote and protect human rights and fundamental freedoms for all. A balance should be maintained between the national and international dimensions of the rule of law, and the Organization should give increased attention to the international dimension. The non-aligned countries continued to be in favour of the establishment of appropriate mechanisms for Member States to be informed of the work of the Rule of Law Unit and to ensure regular interaction between that Unit and the General Assembly.

15. **Mr. Alday** (Mexico), speaking on behalf of the Rio Group, said that the Committee was now in a better position to give focused attention to rule of law issues thanks to its wide-ranging discussion of them over the previous two years and that, in doing so, it should take equally into account their national and international dimensions. The need to strengthen and better coordinate the Organization's work in that regard was all the more urgent in that it could thereby more effectively take up related challenges worldwide. The Rio Group welcomed the positive first steps taken to enable the Rule of Law Coordination and Resource Group and the Rule of Law Unit to meet that concern, through the issuing of guidance to avoid duplications and maximize resources and the development of a joint strategic plan.

16. The Rio Group shared the Secretary-General's view that efforts to promote the rule of law must be based on common values, like those referred to in paragraph 25 of his report (A/62/226). It also agreed with him that the success of any rule of law programme hinged on a thorough understanding of the political context; it must be predicated on national needs and aspirations and not be imposed from outside. The national sovereignty of States was not incompatible with the rule of law at the international level: the international obligations assumed by Member States were based either on international treaties by which States voluntarily agreed to be bound or on *erga omnes* norms. The United Nations itself was governed by the rules set out in its Charter.

17. The Rio Group supported the Secretary-General's recommendations for the improvement of the Organization's action to promote the rule of law and reiterated the proposals it had made at the previous session regarding sub-topics for discussion by the Committee. It reaffirmed its conviction that international law was the best means available to the international community to ensure peace, development and the rule of law.

18. **Mr. Muchemi** (Kenya), speaking on behalf of the African Group, said that, while appreciating the work already carried out by the various United Nations entities involved in rule of law activities, he hoped that greater efforts would be made to enhance its coordination and coherence. The Rule of Law Unit should be transformed into a fully fledged division with a regular budget. The African Group welcomed the Secretary-General's proposal to fund and staff the

Unit adequately, particularly for it to be better able to carry out capacity-building programmes in Member States, but felt that the Unit's mandate needed to be clearly defined. In addition, for it to be effective in the long term, the Unit would benefit from early action by the General Assembly aimed at reaching an agreement on a universal definition of the rule of law. The current lack of such a definition should spur Member States to seek to arrive at a common understanding of the concept. Moreover, the Organization's rule of law activities should be directed in particular towards assisting the Peacebuilding Commission in seeking to ensure sustainable peace in countries emerging from conflicts marked by a breakdown in the rule of law and an upsurge in transnational organized crime.

19. The leaders and peoples of Africa considered the rule of law to be a core value which, even in the absence of an exact definition, was closely bound up with conditions conducive to democratic governance, accountability, transparency and respect for human and peoples' rights. The African Group believed that progress could be made in developing common principles of the rule of law through exchanges of constructive views on best practices between Member States and regional organizations, in particular through the African Peer Review Mechanism, which promoted the rule of law through good governance.

20. The Charter of the United Nations was to be regarded as a source of minimum standards for the rule of law at the international and national levels, which could only be advanced through respect for the principles of justice and international law. To that end, the Security Council's decisions, particularly on the application of sanctions, must be universally respected and implemented in an even-handed manner. However, the Council's structure, composition and working methods needed to be reformed to reflect current realities. The African Group called on all Member States to support such reform, since double standards in the application of international law were bound to lead to chaos in inter-State relations.

21. **Mr. Barriga** (Liechtenstein) said that when the agenda item entitled "The rule of law at the national and international levels" had been introduced, the Committee's debate had been based mainly on the political commitments emanating from the 2005 World Summit. At the current session the Committee was fortunate to have a comprehensive analysis of the United Nations work in that area, made possible by the establishment of an integrated institutional framework to advance the rule of law agenda. The Rule of Law Coordination and Resource Group filled an important gap. His delegation also fully supported the work of the Rule of Law Unit and considered that sustainable resource arrangements for it were overdue.

22. In conjunction with the comprehensive inventory of United Nations rule of law activities contained in document A/63/64, the Secretary-General's report on strengthening and coordinating United Nations rule of law activities (A/63/226) provided an ambitious blueprint for a more effective engagement in promoting the rule of law worldwide. The report wisely referred to commonly agreed values and principles and avoided overly sharp definitions. It added meaning and depth to the abstract notion of the rule of law by highlighting concrete areas of activity and placing them in context. Most importantly, it identified a number of areas that needed to be addressed more effectively and presented recommendations.

23. The Committee's annual draft resolution on the rule of law was an appropriate place for a statement of renewed commitment to the core principles of the international rule of law, but the Committee might also consider elaborating a more action-oriented document, perhaps in two or three years. A priority task was to strengthen accountability and dispute settlement mechanisms at the international level. Despite the establishment of the International Criminal Court and the increasing use of trade-related dispute resolution mechanisms, glaring gaps remained in the scope and reach of accountability and legally binding dispute resolution at the international level, as exemplified by the limited acceptance of the compulsory jurisdiction of the International Court of Justice.

24. His delegation shared the concern that the normative work of the United Nations was not adequately implemented at the national level. The effectiveness of technical assistance for the implementation of international norms and standards varied greatly from one field to another, often depending on donor interest. The Rule of Law Coordination and Resource Group should try to fill the gaps by assessing needs for technical assistance beyond the traditional priority areas.

25. Another problem was the gap between the Organization's role as a legislative forum and its own application of the relevant rules of international law.

The rule of law at the institutional level was a conceptually challenging notion that required United Nations organs to consider the extent to which they were bound not only by the Charter but also by customary international law. Improving adherence to international law was indispensable in order to uphold the Organization's legitimacy and credibility.

26. His delegation noted with satisfaction the great range of activities being undertaken that related to the rule of law at the national level and the process initiated by the Rule of Law Coordination and Resource Group to enhance and harmonize them. It found merit in the follow-up tools envisaged in the report, such as the development of a joint strategic plan for the implementation of a common approach to rule of law assistance, the establishment of a system-wide rule of law website and the creation of a rule of law trust fund. It could prove useful to convene informal meetings between Member States and the Group to discuss such issues as donor coherence and the perspectives of recipient countries.

27. **Mr. Bichet** (Switzerland) said that protecting, developing, promoting and implementing the rule of law were at the core of the United Nations mandate. The impressive inventory of the current rule of law activities of the United Nations system demonstrated that rule of law issues were cross-cutting, and it was imperative to improve the coordination of the many activities in order to strengthen their coherence and increase their effectiveness. In that context, his delegation welcomed the establishment of the Rule of Law Coordination and Resource Group and considered that the Rule of Law Unit supporting the Group should be financed through the regular budget.

28. Switzerland supported the recommendations of the Secretary-General contained in paragraphs 74 to 78 of his report on strengthening and coordinating United Nations rule of law activities (A/63/226) and was committed to participating in efforts to implement them. It also welcomed the valuable comments and suggestions by Member States, which were included in the report.

29. Paragraph 27 of the report rightly pointed out that the Organization had little credibility if it failed to apply the rule of law to itself. That was why such issues as guarantees of due process in relation to Security Council sanctions regimes, criminal accountability of United Nations personnel, reform of the internal system of administration of justice and better enforcement of rule of law standards in peacekeeping missions were of the utmost importance to the credibility of the Organization. Some of those topics were already under discussion by the Committee and should be placed in the wider context of support for the rule of law. Member States had a duty to provide the United Nations with the necessary instruments and means to make it fully capable of meeting its own rule of law standards.

30. **Mr. Hussain** (Bangladesh) said that Member States had expressed their respect for the rule of law in the Preamble to the Charter, which reaffirmed the equal rights of men and women and of nations large and small. More recently, progress in strengthening the rule of law had been made through consensus documents, notably the Millennium Declaration and the 2005 World Summit Outcome Document. Achievement of the desired goals, however, was obstructed by a lack of technical and financial capacity at the national level in developing countries and by a lack of uniform enforceability of international law. Success therefore lay in international solidarity and multilateral cooperation.

31. The Secretary-General's report contained in document A/63/226 provided a good basis for further work towards ensuring the rule of law, but concrete measures were still needed. Financial and technical assistance should be provided to developing countries, particularly the least developed countries. Such initiatives should focus on country-specific needs for capacity-building and should not be donor-driven; national ownership was essential.

32. Efforts were needed to strengthen institutional norms and standards, a basic requirement for ensuring compliance with the rule of law. Measures should be taken to increase the number of States parties to international legal instruments. His delegation commended the Secretary-General's efforts to promote the ratification and implementation of treaties by organizing treaty events. The role of the International Court of Justice and other international tribunals in the peaceful settlement of disputes was important in fostering a society based on the rule of law.

33. Since the subjects of international law and the nature of their interactions were dynamic, the norms and standards regulating them must be dynamic as well — hence the need for the progressive

development and codification of international law, in addition to ratification of existing treaties and adherence to existing rules.

34. Bangladesh was firmly committed to fair play in the application of the rule of law at both the national and international levels. The aim of a rule-based system was to substitute right for might. Universal and non-selective application of law was a means to achieve freedom from fear and freedom from want.

35. At the national level, Bangladesh was working steadily to promote the rule of law and justice in all spheres of life, and many reforms had already been undertaken. The judiciary had been separated from the executive branch, so that it could work independently to ensure justice and a fair trial for all. The Anti-Corruption Commission had been strengthened by elevating its status to that of a constitutional body and expanding its areas of coverage as a watchdog organization against both institutional and personal corruption. The Election Commission had been reformed in order to bring transparency to the electoral process. Reforms had also been undertaken to modernize the police department. In September 2008 Bangladesh had established an Independent Human Rights Commission with responsibility for ensuring that international human rights standards were upheld in the country. To complement the other reforms, a Truth Commission had also been formed. However, proper implementation of the reforms would require further technical and capacity-building assistance from the international community.

36. The United Nations should remain at the forefront of the implementation of international law. The activities of the many United Nations entities working in the field of the rule of law, particularly those directed towards capacity-building, should be tailored to the specific needs of Member States. United Nations entities should work to facilitate global cooperation and coordination in the implementation of international law in a non-selective fashion. The Rule of Law Coordination and Resource Group was to be commended for its efforts in developing guidance to avoid duplication of United Nations activities related to the rule of law.

37. **Ms. Rodríguez Pineda** (Guatemala) said that the inventory of United Nations activities contained in document A/63/64 showed that the Organization was deeply engaged in promoting the rule of law, and the Sixth Committee, representing all the world's legal systems and cultures, was in the best position to add value to its efforts. In order to launch its debate on the rule of law, the Committee would need to reach agreement on a set of sub-items.

38. To ensure the rule of law at the national level, Guatemala had established a legal system based on a constitution that protected democracy, human rights and fundamental freedoms. Not content with that achievement, Guatemala was pursuing the task of fostering a culture of tolerance, respect for law and rejection of impunity with the help of the international community. For example, in 2007 the International Commission against Impunity in Guatemala had been established in conjunction with the United Nations and had already taken significant steps. Currently it was investigating 15 cases of drug trafficking, feminicide and corruption in close collaboration with the special unit of the Attorney General's Office in charge of investigating and prosecuting high-impact cases. A number of legislative reforms were under consideration. An anti-feminicide act had been passed in order to suppress violence against women, which was all too prevalent in Guatemala.

39. The rule of law at the national level was inextricably bound up with, and complementary to, the rule of law at the international level. The Guatemalan constitution explicitly recognized that in the area of human rights the treaties and conventions ratified by Guatemala took precedence over domestic law.

40. With regard to the role of the United Nations in promoting and strengthening the rule of law, her delegation welcomed the establishment of the Rule of Law Coordination and Resource Group and its supporting Rule of Law Unit, which performed a necessary and important task. The report of the Secretary-General (A/63/226) perceptively began with the premise that the rule of law was both an aim of the Organization and a means to achieve its ends. The Organization was in a position to assist in capacity-building and in strengthening the institutional structure of States, but such assistance must be given in response to a request from the State and must be accompanied by a sense of national ownership.

41. **Ms. Vargas Walter** (Cuba) said that the rule of law at the national and international levels was of fundamental importance for the maintenance of international peace and security and therefore deserved

to be given priority in the Sixth Committee's work in order that progress might be made towards a just and equitable international order. The absence of the rule of law, or of clear rules establishing its scope, might encourage, or be used as a pretext for, the commission of unlawful acts such as aggression, genocide, drug trafficking and other transnational crimes which wrought havoc on the national and international order. The principles of the Charter of the United Nations and of international law were vital for the promotion of economic development, social progress, international peace and security, human rights for all and the rule of law.

42. Member States must fully respect the functions and powers of the main organs of the Organization, especially those of the General Assembly, and they must maintain the balance between them established by the Charter. The Security Council must fully respect all the provisions of the Charter and the resolutions of the General Assembly which clarified its relations with the other main organs of the United Nations.

43. There was a danger that the Security Council might poach on the preserve of the other main organs and their subsidiary bodies, especially when it came to questions related to the establishment of norms and definitions, which were the responsibility of the General Assembly. Close cooperation and coordination among all the main organs were essential to enabling the United Nations to contend with existing threats and challenges.

44. She expressed concern about the unilateral exercise of extraterritorial criminal and civil jurisdiction by national courts, in the absence of any justification based on international treaties or other obligations under international law, including international humanitarian law. In that connection, her Government condemned the passing of politically motivated national laws directed against other States, which hampered the establishment of the rule of law at the international level and whose adoption must therefore cease.

45. Her delegation was likewise against the unilateral sitting in judgment of States' conduct as a means of exerting pressure on certain developing countries. States must refrain from adopting or applying coercive measures or laws with extraterritorial effect, including unilateral economic sanctions and other forms of intimidation.

46. The scope of the rule of law at the national level must comprise various principles common to all countries, such as the existence of a legal order that expressly regulated all conduct inimical to the development of society, while ensuring full compliance with its laws and their equitable enforcement and the existence of democracy, justice and social order. Naturally the specific features of each country must be taken into account, as must the existence of different political, economic and social systems. If that were done, it would be possible to establish mutually acceptable guidelines predicated on respect for the principles of the independence and sovereignty of States.

47. The General Assembly must play the leading role in promoting and coordinating efforts to secure full respect for the rule of law. The international community should not usurp national authorities' responsibility for establishing or strengthening the rule of law, but should simply provide them with the necessary, unconditional support at their request.

48. Similarly, in matters of assistance and cooperation, it was essential to take account of national customs and national socio-economic and political realities and to avoid pre-established models which might stand in the way of finding solutions to existing problems.

49. **Mr. Park** Chull-joo (Republic of Korea), concurring with the ideas expressed in paragraph 75 of the report of the Secretary-General on strengthening and coordinating United Nations rule of law activities (A/63/226), said that further discussion of the rule of law was an excellent opportunity for Governments to renew their firm commitment to it and to the purposes and principles of the Charter of the United Nations. He supported the idea of selecting sub-topics in order to facilitate a more focused discussion on an annual basis. At the same time, an attempt should be made to ensure that deliberation of the topic did not overlap with the work of the Special Committee on the Charter of the United Nations and on strengthening the role of the United Nations.

50. The activities of the Rule of Law Coordination and Resource Group and the Rule of Law Unit should be strengthened and their coordination capacities enhanced in order to avoid unnecessary duplication and to maximize synergies. He looked forward to seeing them both become fully operational and effective.

When providing rule of law assistance to countries in need thereof, those bodies should pay due attention to the views of the recipient countries.

51. As there would appear to be no inherent hierarchy in the methods of dispute settlement stipulated in Article 33, paragraph 1, of the Charter of the United Nations, States had a free choice as to the mechanisms they adopted for that purpose. That approach had also been taken in General Assembly resolution 62/70 and should be retained in the current year's resolution on the rule of law at the national and international levels.

52. **Ms. Guo** Xiaomei (China) said that past exchanges in the Sixth Committee on the rule of law at the national and international levels had helped to enhance mutual understanding and had led to a growing consensus among States.

53. With regard to the rule of law at the national level, each Government had a right to choose the rule of law model most suited to conditions in its country. States could swap experiences and learn from each other how to make the models work better. The enormous efforts made by the developing countries to build the domestic rule of law and the results they had achieved should be respected. Members of the international community should, on the basis of the principles of sovereign equality and non-interference in the internal affairs of other countries, strengthen cooperation with a view to enhancing the rule of law at the national level.

54. In order to strengthen the rule of law at the international level it was necessary to uphold the authority of the Charter of the United Nations and the fundamental principles of international law established therein, since they constituted the nucleus of the existing international legal order and the cornerstone of the orderly development of international relations. International affairs should therefore be conducted in conformity with the Charter and those fundamental principles.

55. International legislation should be constantly improved through the universal participation of countries in the process. International legislative instruments should be adopted by consensus whenever possible and should reflect the interests and concerns of countries in a balanced manner.

56. International law should be applied uniformly. If, in international relations, States applied international law selectively or interpreted it unilaterally to their own advantage, or employed double standards when applying it, international law would be reduced to a tool of power politics and would not be able to play its role in maintaining international order.

57. Democratization in international relations should be promoted, because democracy and the rule of law were mutually reinforcing. Without such democratization, it would be impossible to achieve the rule of law at the international level. Democratization in that context meant that countries should jointly conduct international affairs through broad participation and consultation on an equal footing.

58. Her delegation appreciated the myriad of broad-ranging rule of law activities carried out within the United Nations system. China supported the establishment of the Rule of Law Coordination and Resource Group and the Rule of Law Unit in order to coordinate those activities. Since the recipients of many such activities were developing countries, resources might be allocated more efficiently and the activities themselves might be more closely attuned to the needs of those countries if the Secretariat and the departments involved in rule of law activities were to take on more staff members from developing countries.

59. The two topics which should be given priority consideration were observance of the international rule of law, in particular through the democratic implementation and interpretation of international treaties and strengthening the rule of law through technical assistance and capacity-building.

The meeting rose at 1 p.m.